

# UNDERHILL PLANNING COMMISSION

Thursday, November 2, 2017 6:30 PM

## Minutes

**Planning Commissioners Present:** Chair C. Seybolt, David Edson, Catherine Kearns, David Glidden, Nancy Bergersen, Pat Lamphere

**Staff/Municipal Representatives Present:** Andrew Strniste, Planning Director

**Others Present:** Peter Duval, Underhill Resident

[6:25] The Planning Commission convened at Underhill Town Hall at 6:25pm.

[6:31] Chair Seybolt called the meeting to order.

[6:32] No public comment was provided at that time. The Commission reviewed the minutes of October 7, 2017, which will be approved at the next meeting.

[6:33] Commissioner Edson advised that a motion to rescind the approved planning report would be needed, as he recommended that the planning commission report should only include the Underhill Center proposal. Chair C. Seybolt asked for a **motion to rescind the approval** from the previous meeting, which was seconded by Commissioner Bergersen. The topic was opened for discussion. Commissioner Edson opined that there was still work to be done on the zoning regulations, and that proposing all of the edits to the regulations as one package would be easier for votes. Commissioner Bergersen agreed, as a lot of the focus had been on the Underhill Center. Commissioner Kearns asked if the Underhill Center could be separated out from the other edits. Commissioner Edson informed the Commission that a rescission vote would need to occur either way. Clarification was provided that the Commission never officially voted to approve the Planning Commission Report, and therefore, no vote was required. Commission Lamphere suggested that the Commission should proceed as proposed and hopefully split the proposal into two separate ballot items. Chair C. Seybolt opined that the proposed changes addressed key issues, such as: clarifying the regulations for residents, helping the Development Review Board and the Zoning Administrator, and creating the new Center. Staff Member Strniste provided clarification on how the changes could likely be separated into two ballot items.

[6:45] Chair C. Seybolt read an email submitted by Seth Friedman and the thoughts from Commissioner Drew.

[6:47] Resident Peter Duval provided the following public comment: after further review, he was even more concerned that the proposed changes were not supported by the Town Plan, and that there was a lack of public input. He advised that the process would be a lot more smooth and the Commission need to do more research. He alleged that the only information that the Planning Commission based the creation of the new Underhill Center district on was a map from 1896. Mr. Duval continued to state that the Commission did not do a study on how many composting toilets there would be; what the septic capacity would be; that there was no sewer study; or plan for municipal water; no transportation studies were conducted; no historic preservation studies. He then stated that there had been no study to support goals outlined in the Town Plan, and the suggested goals do not support what is outlined in the Town Plan. Mr. Duval continued to stated that the Planning Commission was up-zoning, that the new district would cause a lot of distress, and that if the Town were to up-zone in this one area, there will be requests of up-zoning elsewhere.

- [6:53] Commissioner Glidden opined that the Commission should present all of the proposed changes, as he felt the proposal was well thought out. He also advised that the number of ballot items should be limited two, as to not overwhelm the voters. Commissioner Edson opined that the Commission should only present the village center. Commissioner Glidden stated that he would hate to put off work that was already completed. In addition, Chair C. Seybolt advised if the Commission were to wait, they will likely run into misunderstandings in the future.
- [6:56] Commissioner Lamphere opined that he did not think the Commission was up-zoning, as the State requirements create an almost insurmountable obstacle to obtain septic and water permits. He also advised that Underhill Center had lost a lot of density over the decades. Commissioner Glidden suggested that he liked the Underhill Center vision statement; however, public feedback seem to suggest additional language. Staff Member Strniste advised of what the Commission could do on Town Meeting Day; however, Clerk, Sherri Morin would be meeting with the Commission to discuss the issue in more detail prior to Town Meeting Day.
- [7:04] Commissioner Edson suggested taking the word “thriving” out of the purpose statement in the Underhill Center Village District, as it misrepresented our intent. The Commission agreed to delete “thriving”. Chair C. Seybolt asked for a motion to move the report to the Selectboard. Commissioner Edson recommended that the motion be separated into two motions to help encourage the two proposals being two separate ballot items during Town Meeting Day.
- [7:09] Chair C. Seybolt asked for a **motion to approve the Underhill Center Village District portion of the Planning Commission Report, and submit it to the Selectboard for approval.** Commissioner Edson made the motion, which was seconded by Commissioner Bergersen. The **motion was approved unanimously.** The Commission then discussed the changes to the owner occupancy regulation for detached accessory dwelling. A discussion ensued about the word forced, and eliminating that as a term. Commissioner Kearns dissented, stating the word help provide a balanced solution. The Commission agreed to change the word “forced” to “compelled” in a 5 to 1 vote, with Commissioner Edson dissenting. Staff Member Strniste advised the Commission of the other changes that were made.
- [7:38] Chair C. Seybolt asked for a **motion to approve all other changes as presented in the Planning Commission Report, and submit to the Selectboard for approval.** Commissioner Bergersen made the motion, which was seconded by Commissioner Kearns. The **motion passed unanimously.** Staff Member Strniste provided a timeline going forward. The following members of the Commission can make the December 5 Selectboard hearing: Commissioners Seybolt, Glidden, Bergersen, Edson and Lamphere. The following members of the Commission can make the December 12 Selectboard hearing: Commissioners Kearns, Glidden, Bergersen and Lamphere. Staff Member Strniste advised that he does not anticipate the Selectboard to conduct a presentation. Staff Member Strniste advised that the Commission would be meeting with the Jericho Planning Commission the following week on November 7, 2017. Chair C. Seybolt asked if the Commission was open to cancelling the November 16 regularly scheduled meeting.
- [7:48] Chair C. Seybolt advised that the Commission should be prepared to publicize the proposed changes in January, and that the Commission should reach out to individuals who attended the hearings, as well as friends. Commissioner Edson suggested that the Commission should publicize the proposed changes at the end of January/February.
- [7:52] Chair C. Seybolt asked for a **motion to adjourn.** Commissioner Edson made a motion to adjourn, which was seconded by Commissioner Bergersen. The **motion was approved unanimously.**

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Respectfully Submitted By:

Andrew Strniste, Planning Director

The minutes of the November 2, 2017 meeting were accepted this 21<sup>st</sup> day of December, 2017.

  
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Cynthia Seybolt, Planning Commission Chair